United Nations S/2004/857

Security Council

Distr.: General
25 October 2004

Original: English

Draft resolution

The Security Council,

Acting in accordance with Article 28 (3) of the Charter of the United Nations,

1. *Decides* to hold meetings in Nairobi starting on 18 November 2004 and ending on 19 November 2004, and that the agenda for these meetings will be "The Reports of the Secretary-General on the Sudan";

2. *Decides also* to discuss Sudan with representatives of the African Union and the Intergovernmental Authority on Development at the above-mentioned meetings, and to take the opportunity of the presence of the Security Council in Nairobi to discuss other peace efforts in the region with both the African Union and the Intergovernmental Authority on Development;

3. *Decides also,* with respect to the meetings referred to in paragraph 1 above to waive the requirement laid down in Rule 49 of the Council's provisional rules of procedure that the verbatim record of each meeting of the Council shall be made available on the first working day following the meeting and decides that the verbatim record will be issued in New York subsequently.

04-57336 (E) 261004

United Nations S/2004/858

Security Council

Distr.: General
25 October 2004

Original: English

Letter dated 25 October 2004 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter of 4 October 2004 (S/2004/797) concerning the United Nations Office for West Africa (UNOWA) has been brought to the attention of the members of the Security Council.

The members of the Council concur with your recommendation to extend the mandate of UNOWA for three years from 1 January 2005 to 31 December 2007, subject to a mid-term review in July 2006. The members of the Council also take note of your intention to strengthen UNOWA to enable it to perform its mandate more effectively and would be grateful for more information in this regard, as requested below. In this regard, the members of the Council encourage you, in addition to resources from within the United Nations, actively to explore the possibility of direct contributions from Member States.

Since the activities of UNOWA have increased substantially in the past year, and since you intend to strengthen the Office as a result, the members of the Council would be grateful to receive a copy of the intended mandate and functions of UNOWA for the next three-year period.

(*Signed*) Emyr **Jones Parry**
President of the Security Council

04-57124 (E) 251004

United Nations S/2004/859

Security Council

Distr.: General
25 October 2004

Original: English

Letter dated 25 October 2004 from the Secretary-General addressed to the President of the Security Council

Pursuant to Security Council resolution 1244 (1999), I have the honour to convey the attached report on the international security presence in Kosovo covering the period from 1 to 30 September 2004 (see annex).

I should be grateful if you would bring it to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

04-57254 (E) 281004

Annex

Monthly report to the United Nations on the operations of the Kosovo Force

1. This report covers the period from 1 to 30 September 2004.

2. As at 30 September 2004, the total number of troops in theatre was 17,816, including 3,007 troops from non-NATO countries.

3. There is no change in the status of partner/non-NATO country contributions.

Security

4. The general situation in Kosovo, though apparently calm, remains fragile and tense and is expected to remain so for the foreseeable future.

5. The number of ethnically motivated incidents has decreased over the month of September with the onset of autumn. This pattern was discernible over the same period last year. Over the reporting period, only 11 such incidents were noted. Encouragingly, the Austerlitz Bridge in Mitrovica saw more than 2,600 crossings without reports of any incident.

6. The threat against the Kosovo Force (KFOR) remained relatively low throughout the month of September.

7. In terms of organized crime, a total of 30 incidents were reported in relation to drug trafficking, illegal weapons finds and smuggling operations during the month of September. This shows a decrease of 23 per cent compared to August. Counterfeit currency cases, on the other hand, remain a more consistently reported offence.

8. The operational rehearsal for reserve forces in the Balkan joint area of operations, "Determined Commitment 2004", is currently under way and will be held from 11 October to 6 November 2004 in Kosovo and Bosnia and Herzegovina. The rehearsal is timed to have the maximum impact during the elections in Kosovo on 23 October and in preparation for the transition from NATO to the European Union in Bosnia and Herzegovina.

9. As reported last month, KFOR continues operations to secure the theatre, avoid ethnic violence and protect patrimonial sites. KFOR also remains vigilant to deter possible threats directed against international organizations and military bases. The NATO force continues to improve its crowd and riot control capabilities in order to be better prepared to counter a possible resurgence of violence.

Compliance by the army of Serbia and Montenegro and the Ministry of Internal Affairs Special Police

10. No breaches of the Military Technical Agreement were reported during September 2004.

Kosovo Protection Corps

11 The current membership of the Kosovo Protection Corps (KPC) is 2,975 active members, including 143 minorities, 37 of whom are Serbs. The reserve personnel establishment list includes 1,838 members, 17 of whom are from ethnic minorities. There is an insufficient number of positions available to minorities in the active

personnel establishment list to reach the 10 per cent minority goal for KPC. KPC will not be recruiting Albanian members until this minority issue is resolved.

12. During September 2004, the multinational brigades carried out 24 roll calls and 1 Kosovo-wide roll call. The percentage of personnel absent without permission increased from 1.32 per cent in August to 1.74 per cent in September 2004.

13. In association with KPC and the KFOR Inspectorate of KPC, the UNMIK Office of the KPC Coordinator has approved the holding of KPC field training activities. On 28 September safety surveillance of the Lukare compound (a former Yugoslav Army ammunition depot) was handed over to KPC in accordance with the tasking issued by the Special Representative of the Secretary-General on 15 September.

Conclusion

14. Reinforcements associated with exercise "Determined Commitment" have increased the flexibility of the KFOR Commander to react to potential crises related to the election process. Involvement at the level of the community remains the surest means to prevent an outbreak of violence similar to the events that unfolded in March 2004. In this respect, multinational brigade commanders have been taking part in local crime prevention council meetings.

United Nations A/59/533–S/2004/860

General Assembly
Security Council

Distr.: General
26 October 2004

Original: English

General Assembly
Fifty-ninth session
Agenda item 24
Prevention of armed conflict

Security Council
Fifty-ninth year

Identical letters dated 25 October 2004 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General and the President of the Security Council

I would like to draw your attention to the joint naval exercise that will be staged by the United States of America, together with Japan, in the Tokyo Wan of Japan from 26 October 2004 pursuant to the Proliferation Security Initiative (PSI).

The joint naval exercise constitutes a breach of the Charter of the United Nations, international law and order and a dangerous act that could entail global instability.

Given its origin and the process of its development, the Proliferation Security Initiative serves as an illegal leverage to intervene in the internal affairs of independent Member States of the United Nations and can never be justified.

The joint naval exercise is synchronized with the recent adventurous United States "plan for reinforcing war potential in south Korea" and the deployment of the naval missile defence system for an actual warfare in the East Sea of Korea, which expressly represents an arrangement for the pre-emptive attack against the Democratic People's Republic of Korea.

In particular, it is a treacherous act against the Democratic People's Republic of Korea-Japan Pyongyang Declaration that Japan provided the Tokyo Wan as a place for the joint naval exercise.

Moreover, the direct and indirect participation in the PSI joint naval exercise by some participants in the six-party talks will create an obstacle to the peaceful solution of the nuclear issue of the Korean peninsula.

I request that you take immediate action in view of the gravity of the situation.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 24, and of the Security Council.

(Signed) **Pak** Gil Yon
Permanent Representative

04-57309 (E) 261004

United Nations S/2004/861

Security Council

Distr.: General
26 October 2004

Original: English

Letter dated 26 October 2004 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

I have the honour to write to you and, through you, to draw the attention of the Security Council to the recent developments in the conflict resolution process in Abkhazia, Georgia.

In doing so, I should like to express my sincere gratitude to the Secretary-General, Kofi Annan, and his Special Representative, Heidi Tagliavini, for their tireless efforts to bring about a comprehensive political settlement of the protracted conflict in my country.

The latest events in Abkhazia barely leave us grounds for optimism, and I think that this situation is objectively reflected in the report of the Secretary-General. Indeed, the United Nations-led peace process in the region has reached its critical juncture.

Ardzinba's ethnocratic regime has always sought to thwart the peace process. His no-compromise policy is bringing our peaceful efforts to naught, and could ultimately damage the peace talks beyond repair. In this context, the holding of the illegitimate and self-styled presidential elections by the Abkhaz separatists on 3 October 2004 is yet another attempt to imbue legality to the demographic changes resulting from the conflict. It is being done in flagrant disregard of the position of the international community, as manifested in the numerous resolutions and presidential statements of the Security Council, affirming the legitimacy of the elections, while 300,000 members of the Georgian population are forcibly driven out of the region. By the same virtue, the elections fail to sustain even scant semblance of democracy, putting aside their violation of international law in an environment where violence and human rights violations constitute the routine of life.

Against this background, the Ministry of the Russian Federation, which praised the elections in a statement of 4 October 2004, as "calm and democratic", appeared to be the only dissenter in the international community. With tension in the region at its height, fuelled by the presence of the terrorist groups known as the Confederation of Mountain Peoples, best known for their notorious commander Shamil Basayev, the situation is anything but calm for clarification, Shamil Basayev served as a Deputy Defence Minister of the separatist regime in 1990s.

04-57366 (E) 261004

Moreover, the presence of foreign terrorist groups of the Confederation highlights the acute problem of the illegal influx of arms and armed groups through the unilaterally open Abkhazia section of the Russian-Georgian border. Especially in the aftermath of the tragedy in Beslan, the border policy of the Russian Federation is at odds with the real needs and interests of combating terrorism and ensuring security. Otherwise one cannot explain the closure of the only legally operating checkpoint in Zemo Larsi, while two other illegal checkpoints within the secessionist regions of Abkhazia and Tskhinvali region/South Ossetia remain open. In the end, these measures affect not potential terrorists but ordinary, law-abiding people from Georgia, the Russian Federation and Armenia, whose interests are mainly harmed by the unpredictability of the border crossing regime. Numerous protests by Georgia on this matter remain unheeded.

The escalation of the situation in the region was preceded by the involvement and interference, unprecedented in breadth, of certain political circles in Russia in Abkhazia, Georgia; President Putin himself, in a display of Russia's support, publicly met one of the "candidates for President of Abkhazia". Russian political and pop artists have been mobilized to support the Kremlin favourite.

The "electoral campaign" unfolded in the milieu of the reopening of a railway link between Moscow and Sokhumi, after 12 years of being dysfunctional. The event, protested by Georgia as an infringement upon its sovereignty and a violation of international law, attested to the level of damage caused to the United Nations-led peace process by the broken commitments. President Putin's formula that the implementation of economic projects in the region must be synchronized with the return of refugees and internally displaced persons is either complete ignored or cynically countered with the contention that they have already returned in the Gali district. Those who attempt to capitalized on the almost daily violence and intimidation being endured by spontaneous returnees are deliberately confusing organized return in safety and dignity with its antithesis.

Mr. President, notwithstanding this complex development, the Government of Georgia is committed to resume negotiations for the settlement of the conflict in Abkhazia, Georgia, with any leader who will succeed Mr. Ardzinba. However, progress in this matter would require that the Abkhaz side master the requisite political will for the constructive engagement in the negotiations, in particular on the so-called Boden document on "Basic principles for the distribution of competences between Tbilisi and Sokhumi", as well as allow for the establishment of a branch of the Human Rights Office in Gali, address the problem of teaching of Georgian children in their native language and consent to the deployment of the civilian police component of the United Nations Observer Mission in Georgia (UNOMIG) in the Gali district, which, as pointed out in the Secretary-General's report, is implemented only on the Georgian side, where it receives "good cooperation".

The same sentiment should extend to the Russian side, which has to overcome its own bias in favour of the secessionists and take into account the interests of the peace process as a whole, in particular the interest of thousands of refugees and internally displaced persons, instead of vehemently protecting and advancing of the interests of the Abkhazs at any cost and at every international forum.

In this respect, the attitudes instilled through the Russian media are both dangerous and alarming, the overwhelming majority of which depict Abkhazia as a

region of the Russian Federation inhabited by Russian citizens and Russia as duty-bound to protect them by all means against the Georgian "aggressors", including the use of military force and mercenaries, as well as interference in the "election process" for installing local political leaders loyal to Moscow, etc. For many in Russia these actions are an appropriate modus operandi in carrying out the role of mediator in the conflict.

Mr. President, in finalizing, I should like to go back to the point with which I started this letter, the substantial progress in the United Nations-led peace process is contingent upon the willingness of all its participants to honour their commitments and engage in constructive negotiations with the genuine aim of resolving the conflict. In the absence of this, the resolutions of the Security Council are bound to become more exhortations of good intentions by a supreme organ of the United Nations, the implementation of which depends on the political whim of the Abkhaz side (why not, if the Abkhaz side is almost convinced that intransigence will always go unchallenged).

Mr. President, all would agree that the present status quo in the process of conflict resolution in Abkhazia, Georgia, is untenable and that resolute steps are therefore required to overcome the present stalemate. Otherwise, and I cannot but ring an alarm here, the more this "frozen" conflict remains unresolved, the more difficult it becomes to find a compromise for the establishment of long-lasting peace.

The Security Council has both authority and, I hope, the willingness to take the lead in reinvigorating the United Nations-led peace process. Therefore, we wholeheartedly invite the Security Council to foster its involvement in the conflict-resolution process in Abkhazia, Georgia. One of the steps that the Security Council could take at this stage, we think, would be a field visit to Georgia, particularly to Sokhumi, to learn firsthand the reality on the ground and try to resolve the stalemale in the conflict-resolution process.

I should be grateful if you would have the text of the present letter circulated as a document of the Security Council.

(*Signed*) Revaz **Adamia**
Ambassador
Permanent Representative